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DMS:dg

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Old Granite Development, Ltd.

Case No. 3:06CV2950

Plaintiff,

Judge Jack Zouhary

v.

NOTICE OF DEPOSITION

City of Toledo, et al.,

Defendants.

The parties will take notice that the Defendant, City of Toledo, by and through counsel, Robert J. Bahret, will take the videotaped discovery deposition of John McCarthy, pursuant to the Federal Rules of Civil Procedure, on January 23, 2008 at 11:00 a.m., in the offices of Bahret & Associates Co., L.P.A., 7050 Spring Meadows West Drive, Holland, OH 43528. Said deposition will be taken before a duly qualified notary public and court reporter for the State of Ohio, and shall continue until such time as the same is completed.

/s/ Robert J. Bahret

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City of Toledo

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **Notice of Deposition** was filed electronically with the Court on January 14, 2008. Notice of this filing will be sent by operation of the Court's electronic filing system to the following: R Ethan Davis, Esq at RED.Bar-Rob@buckeye-express.com; and Marvin A. Robon, Esq. at bar-rob@accesstoledo.com; to Jeffrey L. Tasse, Esq. at jtasse@westonhurd.com; Joyce Anagnos, Esq. at joyce.anagnos@toledo.oh.gov and Jeffrey B. Charles, Esq. at Jeffrey.charles@toledo.oh.gov; to Christopher M. Bauer, Esq. at cbauer@anspachlaw.com; and to David J. Fagnilli, Esq. at dfagnill@davisyoung.com. The parties may access this filing through the Court's system.

/s/ Robert J. Bahret

Robert J. Bahret
Co-Counsel for Defendant,
City of Toledo